



CORK CITY COUNCIL

CORK CITY COUNCIL – LISHEENS, BALLINCOLLIG, ACQUISITION ORDER No.4 OF 2022

CORK CITY COUNCIL

FORM OF COMPULSORY PURCHASE ORDER UNDER AND FOR THE PURPOSES OF SECTION 76 OF AND THE THIRD SCHEDULE TO THE HOUSING ACT, 1966, AS AMENDED BY SECTION 198 OF THE RESIDENTIAL TENANCIES ACT 2004, AS EXTENDED BY SECTION 10 OF THE LOCAL GOVERNMENT (NO.2) ACT, 1960 SUBSTITUTED BY SECTION 86 OF THE HOUSING ACT, 1966, AS AMENDED BY SECTION 6 AND THE SECOND SCHEDULE TO THE ROADS ACT, 1993 AND AS AMENDED AND EXTENDED BY: THE PLANNING AND DEVELOPMENT ACTS, 2000-2021 (INCLUDING PART XIV, SECTION 213, SECTION 213(2) AND SECTION 222 THEREOF); LOCAL GOVERNMENT ACTS 1925-2019 INCLUDING SECTIONS 11 AND 184 OF THE LOCAL GOVERNMENT ACT, 2001; ROADS ACTS 1993-2015 AND PART XIV OF THE PLANNING AND DEVELOPMENT ACT, 2000.

WHEREAS in pursuance of section 10 of the Local Government (No. 2) Act, 1960, as substituted by section 86 of the Housing Act, 1966 as amended by section 6 and the Second Schedule to the Roads Act, 1993 and by the Planning and Development Acts, 2000 - 2021, Cork City Council (hereinafter referred to as “the Local Authority”) have decided to effect the acquisition of the lands to which this Order relates together with any easement, wayleave, water right or other right over or in respect of the said lands or water or any sub-stratum of the said lands under the Housing Act, 1966.

AND WHEREAS the said land includes a house, and the said house is in the opinion of the local authority, unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense and such house is coloured pink on the map referred to in this order.

NOW THEREFORE it is hereby ordered that: -

1. Subject to the provisions of this Order, the Local Authority is hereby authorised---

to acquire compulsorily for the purposes of performing its functions under the Planning and Development Acts, 2000 - 2021 including giving to and facilitating the implementation of the City Development Plan the lands described in the Schedule hereto which lands are shown on the map marked “Cork City Council – Lisheens, Ballincollig, Acquisition Order No.4 of 2022” and sealed with the seal of the Local Authority and deposited at the offices of the Local Authority (hereinafter referred to as “the deposited map”) together with any easement, wayleave, water right or other right over or in respect of the said lands or water or any sub-stratum of the said lands.

2. (1) The lands described in Part 1 of the Schedule hereto, and coloured pink on the deposited map consists of a house unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense.

(2) The lands described in Part 11 of the Schedule hereto, delineated in green and shaded grey on the deposited map are lands other than lands consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense.
3. Subject to any necessary adaptations, the provisions of: -
 - (a) “The Lands Clauses Acts (except Sections 127 to 132 of the Lands Clauses Consolidation Act, 1845 and article 20 of the Second Schedule to the Housing of the Working Classes Act, 1890”, and
 - (b) The Acquisition of Land (Assessment of Compensation) Act 1919, as amended by the Acquisition of Land (Reference Committee) Act 1925, the Property Values (Arbitrations & Appeals) Act 1960, and the Local Government (Planning & Development) Act 1963 (as applied by Section 265 (3) of the Planning and Development Act, 2000) as modified by the Third Schedule to the Housing Act 1966, are hereby incorporated in this Order and the provisions of those Acts shall apply accordingly.
4. This Order may be cited as the Cork City Council – Lisheens, Ballincollig, Acquisition Order No.4 of 2022.

C O R K C I T Y C O U N C I L

CORK CITY COUNCIL – LISHEENS, BALLINCOLLIG, ACQUISITION ORDER No.4 OF 2022

SCHEDULE PART 1

LAND CONSISTING OF A HOUSE UNFIT FOR HUMAN HABITATION AND NOT CAPABLE OF BEING RENDERED FIT FOR HUMAN HABITATION AT REASONABLE EXPENSE.

SCHEDULE PART 1

No. on map deposited at the offices of the Local Authority	Quantity, Situation & Description of the Lands	Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
1.	1230 Square metres comprising of a dwellinghouse and gardens in the townland of Lisheens, bounded on the north by the public road R608, on the east and south by lands at Lisheens and on the west by a residential driveway at Lisheens.	<p>Executors of the Estate of Merle Tanner, c/o Frank O'Connell, CF O'Connell & Company, Solicitors, 55 Grand Parade, Cork. T12 A7VX</p> <p>The interests of all persons unknown entitled to collect rents reserved by any lease or Fee-Farm Grant or otherwise which affect the property and the owner of the Fee-Simple interest and all encumbrances and all interests intermediate which are unknown or unascertained.</p>	All unknown Lessees or reputed Lessees	All unknown occupiers

SCHEDULE PART 11

LAND OTHER THAN LAND CONSISTING OF A HOUSE OR HOUSES UNFIT FOR HUMAN HABITATION AT REASONABLE EXPENSE.

No. on map deposited at the offices of the Local Authority	Quantity, Situation & Description of the Lands	Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
2.	59,623 Square metres comprising of land in the townland of Lisheens, bounded on the north partly by a residential premises at Lisheens, partly by the public road R608 and partly by lands at Lisheens, on the east and southeast by lands at Lisheens, on the south by the public road N22 and on the west by land and residential premises at Lisheens.	<p>Executors of the Estate of Merle Tanner, c/o Frank O'Connell, CF O'Connell & Company, Solicitors, 55 Grand Parade, Cork. T12 A7VX</p> <p>The interests of all persons unknown entitled to collect rents reserved by any lease or Fee-Farm Grant or otherwise which affect the property and the owner of the Fee-Simple interest and all encumbrances and all interests intermediate which are unknown or unascertaine</p>	All unknown Lessees or reputed Lessees	All unknown occupiers

THE OFFICIAL SEAL OF CORK CITY COUNCIL WAS AFFIXED HERETO

Local Government Official
Cork City Council
City Hall, Cork
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THIS 24th DAY OF AUGUST 2022 IN THE PRESENCE OF

John Walsh

CHIEF EXECUTIVE

Wesley

LORD MAYOR

Eimear Coughlan

A/ HEAD OF LEGAL AFFAIRS

Paul Griffin

DIRECTOR OF SERVICE
CORPORATE AFFAIRS AND INTERNATIONAL
RELATIONS